

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>JARVIS M. HANDY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 3:06-0331</b>
	)	<b>Judge Echols</b>
<b>GANNETT SATELLITE</b>	)	
<b>INFORMATION NETWORK, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

Pending before the Court is a Report and Recommendation (“R & R”) (Docket Entry No. 120) from the Magistrate Judge which recommends granting Defendant’s Motion for Summary Judgment (Docket Entry No. 100) in this action by pro se Plaintiff alleging retaliation in violation of Title VII. The R & R was entered on April 8, 2008, and the parties have filed no objections thereto, even though they were informed in the R & R that any objections needed to be filed within ten (10) days (Docket Entry No. 120 at 16).

Under Federal Rule of Civil Procedure 72(b) and 28 U.S.C. § 636(b)(1), the Court may accept, reject, or modify in whole or in part the findings or recommendations made by the Magistrate Judge. Having carefully reviewed the entire record in this case, including Plaintiff’s Complaint, Defendant’s Motion for Summary Judgment and accompanying Memorandum (Docket Entry Nos. 100 & 101), Plaintiff’s Response (Docket Entry No. 114), Defendant’s reply (Docket Entry No. 115), Plaintiff’s Sur-reply (Docket Entry No. 119), and the R & R, the Court determines that the Magistrate Judge correctly applied the law to the facts supported by the record. The Court’s independent review of the record leads it to conclude that the Magistrate Judge was correct in determining that while Plaintiff forwarded sufficient facts to establish a *prima facie* case of retaliation, Defendant articulated legitimate

non-discriminatory reasons for Plaintiff's dismissal which Plaintiff cannot show to be pretextual.

Accordingly, the Court rules as follows:

- (1) The Report and Recommendation (Docket Entry No. 120) is hereby ACCEPTED;
- (2) Defendant's Motion for Summary Judgment (Docket Entry No. 100) is hereby GRANTED; and
- (3) This case is hereby DISMISSED WITH PREJUDICE.

Entry of this Order on the docket shall constitute entry of a final judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", is written over a horizontal line.

ROBERT L. ECHOLS  
UNITED STATES DISTRICT JUDGE